

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

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OFFICER POMEROY, OFFICER MOODY,  
AND OFFICER FUNK

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

LAZARIS ITALO FULLER,

Plaintiff,

vs.

CITY OF RICHMOND, OFFICER CANTRELL,  
OFFICER R. THOMAS, OFFICER POMEROY,  
OFFICER MOODY, and OFFICER FUNK,

Defendants.

No.: C-03-5616 MMC

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING DATE OF  
SETTLEMENT CONFERENCE**

United States Magistrate Judge Joseph C. Spero

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Plaintiff Lazaris Italo Fuller ("Fuller"), and defendants City of Richmond, Officer Cantrell, Officer R. Thomas, Officer Pomeroy, Officer Moody and Officer Funk ("Defendants"), through their respective attorneys of record in this action agree and stipulate as follows:

WHEREAS, there is currently a Settlement Conference scheduled on May 3, 2006 at 9:30 a.m. in Courtroom A before the Honorable Magistrate Judge Joseph C. Spero; and

WHEREAS, the deadline for the parties to lodge their settlement conference statements is currently April 19, 2006; and

WHEREAS, Defendants anticipate responding to Fuller's outstanding discovery requests on or before April 28, 2006; and

WHEREAS, the parties believe that a full review of Defendant's discovery responses and accompanying documents will assist in their settlement efforts.

THEREFORE, the parties stipulate, through their counsel of record, to the following:

(1) The settlement conference currently scheduled on May 3, 2006 at 9:30 a.m. shall be continued until May 23, 2006 at 9:30 a.m. in Courtroom A of the above-captioned Court.

(2) The parties' deadline for lodging settlement conference statements will also be continued from April 19, 2006 until May 9, 2006, and any other orders per the Court's settlement conference order of February 6, 2006, shall be in conformity with this new settlement conference date.

IT IS SO STIPULATED.

DATED: April 14, 2006

REED SMITH LLP

By /s/

Bernard J. Casey, Esq.  
Kirsten J. Daru, Esq.  
Attorneys for Plaintiff  
LAZARIS ITALO FULLER

1 DATED: April 14, 2006

McNAMARA, DODGE, NEY, BEATTY, SLATTERY,  
PFALZER & BORGES LLP

3 By: /s/

James V. Fitzgerald, III / Noah G. Blechman  
Attorneys for Defendants  
CITY OF RICHMOND, OFFICER CANTRELL,  
OFFICER R. THOMAS, OFFICER POMEROY,  
OFFICER MOODY, AND OFFICER FUNK

8 ORDER

9 Pursuant to the Stipulation of the parties hereto, and good cause appearing, the Court hereby  
10 Orders as follows:

11  
12 IT IS HEREBY ORDERED that the Settlement Conference currently scheduled on May 3,  
13 2006 in the above-captioned case is continued to May 23, 2006, at 9:30 a.m. in Courtroom A of the  
14 above-referenced Court.

15  
16 IT IS FURTHER ORDERED that the parties' deadline to lodge settlement conference  
17 statements is also continued from April 19, 2006 to May 9, 2006, and any other orders per the  
18 Court's settlement conference order of February 6, 2006, shall be in conformity with this new  
19 settlement conference date.

20 IT IS SO ORDERED.

21 Dated: April 17, 2006

